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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hadi Partovi, Roderick Steven Brathwaite, Angus MacDonald David, Michael S. McCue, Brandon William Porter, John Giannandrea, Eckart Walther and Zhe Li

Application No.: 09/523,853   Examiner: NGUYEN, QUANG N.

Filed: 03/13/00   Art Unit: 2141

Confirmation No.: 6249

For: METHOD AND APPARATUS FOR CONTENT PERSONALIZATION OVER A TELEPHONE INTERFACE WITH ADAPTIVE VOICE CHARACTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

Transmittal of an Appeal Brief
(Under 37 CFR §1.192)

☐   Transmitted herewith, in triplicate, is the APPEAL BRIEF in this application with respect to the Notice of Appeal filed on: _____ 07/01/05 _____

_X_   The application is on behalf of other than a small entity
_____ The application is on behalf of a small entity.
_____ A verified statement of small entity status is attached.
_____ A verified statement of small entity status has been previously filed herein.

Fee Calculation (for other than a small entity)		
Filing Appeal Brief	$500	$500.00
Total Fees		$500.00

10/11/2005 AADOFO1 00000007 09523853
01 FC:1402   500.00 OP   PAYMENT OF FEES
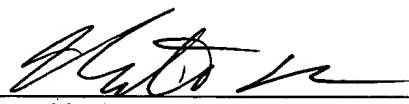
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Respectfully submitted,

Date: 3 October 2005

By: _____
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rev. 10/04 kgn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant:	Partovi et al.	Patent Application
Application No.:	09/523,853	Group Art Unit: 2141
Filed:	March 13, 2000	Examiner: Nguyen, Quang N.

For: METHOD AND APPARATUS FOR CONTENT PERSONALIZATION OVER A TELEPHONE INTERFACE WITH ADAPTIVE VOICE CHARACTER

APPEAL BRIEF

Table of Contents

I. Real Party in Interest

The assignee of the present invention is Tellme Networks, Inc.

II. Related Appeals and Interferences

There are no related appeals or interferences known to the Appellants.

III. Status of Claims

Claims 1, 3-5 and 7-22 have been rejected. Claims 1, 6 and 23-25 were previously cancelled. This appeal involves Claims 1, 3-5 and 7-22.

IV. Status of Amendments

Proposed amendments were filed subsequent to the final rejection. These proposed amendments were not entered.

V. Summary of Claimed Subject Matter

Independent Claims 1, 8, 13 and 14 of the present application pertain to embodiments associated with a method and system for presenting information to a user over a telephone interface according to a voice character prosody setting. Telephone identifying information is used to select a voice character prosody setting for presenting information over the telephone interface, wherein the voice character prosody setting includes a speech pattern that identifies intonation for presenting the information. A user speech pattern is identified based on the speaking voice of a user. The voice character prosody setting is updated based on the user

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speech pattern such that subsequent information is presented to the user over the telephone interface using the update voice character prosody setting.

As recited in Claims 1, 3-5, 7, 21 and 22, a method of using a telephone identifying information to present information over a telephone interface is described. With reference to Figure 5 of the present specification, a personalization framework is described for personalizing the selection and presentation of information over a telephone interface (e.g., telephone 100 of Figure 1). At step 502 of Figure 5, a request for content is received. At step 508, the customization of content through adaptive voice character is described. Telephone identifying information including information about the caller's locale is received (page 36, lines 3-4). The locale is associated with at least one voice character setting, such that callers in calling from different locales may receive information using voice character settings, as shown at step 512 (page 36, lines 4-7). The caller's speaking voice may be used to refine the voice character setting (page 36, lines 11-12). Accordingly, callers with speech patterns for a particular region of the country that are associated with a different voice character setting of the initial voice character prosody setting may receive information, as shown at step 512, in a different voice character setting upon verbally interacting with voice portal 110, regardless of the locale of the telephone identifying information (page 36, lines 12-15). In one embodiment, the voice character setting includes a particular voice actor (page 36, lines 17-18). In one embodiment, the voice character setting adjusts the volume and speed of speech based on the specific location of the telephone. For example, a hospital phone can adjust the voice to increase the volume and slow the speech (page 36, lines 8-10).

As recited in Claims 8-12, a computer system supporting user personalized profiles using a telephone identifying information, a telephone interface, and an Internet interface is described. With reference to Figure 1, shared database 112 includes personalization profiles for a plurality of users, where each personalization profile indicates a voice character prosody setting of a language for presenting information over the telephone interface, wherein the voice character prosody setting includes a speech pattern that identifies intonation for presenting the information (page 19, lines 7-15; page 31, lines 16-18). Web server 108 supports the Internet interface that allows access to and modification of the personalization profiles (page 19, lines 7-15; page 23, line 18 through page 31, line 8). Voice portal 110 (e.g., a telephone interface subsystem) supports the receipt 114 of telephone identifying information and includes program code for matching the telephone identifying information with a corresponding personalization profile, program code to provide personalized content over the telephone interface 100 to a user in the corresponding voice character prosody setting indicated in the personalization profile, program code for identifying a user speech pattern based on a speaking voice of said user, program code for selecting a second voice character prosody setting of the language based on the user speech pattern, and program code for presenting the personalized content according to the second voice character prosody setting over the telephone interface 100 (page 36, lines 2-18). In one embodiment, the telephone identifying information includes a caller number identification (CID) (page 14, lines 3-9). In one embodiment, voice portal 110 includes a call manager 200 for supporting multiple simultaneous calls (page 21, lines 5-9).

As recited in Claim 13, a computer system having user personalized profiles using a telephone identifying information, a telephone interface, and an Internet interface is described. The computer system includes Webs server 108 for providing Internet access to a plurality of user profiles indicating a voice character prosody setting and for providing for modification of a user profile in response to receiving user specified profile modification instructions (page 19, lines 7-15; page 23, line 18 through page 31, line 8). Voice portal 110 (e.g., a telephone interface subsystem) supports the receipt 114 of telephone identifying information and is for matching the telephone identifying information with a corresponding personalization profile, is for providing personalized content over the telephone interface 100 to a user in the corresponding voice character prosody setting indicated in the personalization profile, is for identifying a user speech pattern based on a speaking voice of said user, is for selecting a second voice character prosody setting of the language based on the user speech pattern, and is for presenting the personalized content according to the second voice character prosody setting over the telephone interface 100 (page 36, lines 2-18).

As recited in Claims 14-19, a method for presenting information over a telephone interface is described. With reference to Figure 5 of the present specification, a personalization framework is described for personalizing the selection and presentation of information over a telephone interface (e.g., telephone 100 of Figure 1). At step 502 of Figure 5, a request for content is received. At step 508, the customization of content through adaptive voice character is described. Telephone identifying information including information about the caller's locale is received (page 36, lines 3-4). The locale is associated with at least one voice character setting, such that callers in calling from different locales may receive information using voice character settings, as shown at step 512 (page

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36, lines 4-7). The caller's speaking voice may be used to refine the voice character setting (page 36, lines 11-12). Accordingly, callers with speech patterns for a particular region of the country that are associated with a different voice character setting of the initial voice character prosody setting may receive information, as shown at step 512, in a different voice character setting upon verbally interacting with voice portal 110, regardless of the locale of the telephone identifying information (page 36, lines 12-15).

VI. Grounds of Rejection to Be Reviewed on Appeal

Claims 1, 3-5 and 7-22 stand rejected under 35 U.S.C. § 103(a) as being obvious over United States Patent Application Publication 2003/0147518 by Albal et al., hereinafter referred to as the "Albal" reference, in view of United States Patent 6,597,765 by Ksiazek, hereinafter referred to as the "Ksiazek" reference.

VII. Argument

35 U.S.C. 103(a) over Albal in view of Ksiazek

A. Scope and Content of Albal

Albal describes a method and apparatus for delivering caller identification information to a user. Albal teaches a method and apparatus wherein a communication node can receive user commands via speech recognition. In particular, Albal teaches a method and apparatus for presenting information to a user in response to explicit requests and commands.

B. Scope and Content of Ksiazek

Ksiazek describes a system and method for multiple language access in a telephone network. Ksiazek teaches that an operator service position system (OSPS) is operable to determine an appropriate language for providing operator services. In particular, the caller input information is in the form of direct and explicit interaction with the keypad of the telephone.

C. Differences Between the Claimed Invention and the Combination of Albal in view of Ksiazek

Claims 1, 3-5 and 7-22

Independent Claims 1, 8, 13 and 14 each recite identifying a user speech pattern based on a speaking voice of a user and selecting a second voice character prosody setting based on the user speech pattern. Appellants submit that Albal, alone or in combination with Ksiazek, fails to disclose this limitation.

The present rejection suggests that the automatic speech recognition (ASR) unit 254 of Albal suffice to describe this limitation. Applicants respectfully submit that Albal and the claimed invention are very different. Applicants understand Albal to teach a method and apparatus for delivering caller identification information to a user. In particular, Albal teaches a method and apparatus wherein a communication node can receive user commands via speech recognition. Applicants respectfully submit that Albal does not show or suggest a method of presenting information over a telephone interface that includes presenting information to the user according to a second voice character prosody setting based on a speech pattern of the user.

For instance, with reference to Figure 9 of Albal, automatic speech recognition (ASR) unit 254 of voice recognition (VRU) server 234 provides speech recognition of speech inputs from the user. ASR unit 254 processes the speech input, and in response to identifying particular speech input, "sends an output signal to implement the specific function associated with the recognized speech pattern" (emphasis added) ([0066]). In particular, VRU server 234 provides the output signals, which represent the result of the speech processing, to LAN 240. LAN 240 routes the output signal to the call control unit 236, the application server 242, and/or the voice browser 250. The communication node 212 then performs a specific function associated with the output signals ([0062]). Albal teaches that the ASR unit coverts speech into electronic signals for implementing specific requests of the user.

Applicants respectfully assert that the output signals generated by ASR unit 254 and transmitted by VRU server 234 are electronic signals for activating a specific function of the communication system of Figure 9. In particular, the ASR unit translates the audible speech into electronic signals for implementing an explicit specific application associated with the audible speech. For example, the communication system can place a call to a contact in response to an explicit speech command (i.e., "call Bob at home"). In other words, a speech command (e.g., a request) is identified, and that the explicit speech command is converted into electronic signals for transmission to a particular application for carrying out the user request. Applicants respectfully assert that the output signals are not audible speech.

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In contrast, embodiments of the claimed invention are directed toward a method of presenting information over a telephone interface that includes presenting information to the user according to a second voice character prosody setting based on a speech pattern of the user. Specifically, information is presented to the user using a particular speech pattern based on the user's own speech pattern. For example, as described in the current specification, callers with speech patterns from a particular region of the country may find that after several verbal interactions with the voice portal, the information is presented in a voice character setting using the user's speech pattern (page 36, lines 12-15). In particular, the voice character prosody setting is adaptively updated without the user explicitly requesting a change in the voice character prosody setting. In other words, the voice character setting is adapted implicitly, and not in direct response to a specific request of the user.

Applicants respectfully assert that Albal in particular does not teach, disclose, or suggest a method of presenting information over a telephone interface including presenting the information according to the second voice character prosody setting based on the user speech pattern, as claimed. In contrast, Albal teaches using an ASR unit to process speech input and generated output signals for activating specific functions in response to identifying a word or speech pattern. Specifically, by teaching that the ASR unit implements specific functions in direct relation to identified words and speech patterns, Albal teaches away from such a configuration.

Ksiazek is not cited by the present rejection for this limitation. Moreover, the combination of Albal and Ksiazek fails to teach or suggest this claim limitation because Ksiazek does not overcome the shortcomings of Albal. Ksiazek, alone or in combination with Albal, does not show or suggest a method of presenting information over a telephone interface that includes presenting information to the user according to a second voice character prosody setting based on a speech pattern of the user.

Applicants understand Ksiazek to teach a system and method for multiple language access in a telephone network. Ksiazek teaches that an operator service position system (OSPS) is operable to determine an appropriate language for providing operator services. The appropriate language selection may be based on: a) a dialed number; b) a country code of the dialed number; c) a card billing number; d) Automatic Number Identification (ANI) information; and e) caller input information (col. 3, lines 21-55). In particular, the caller input information is in the form of direct interaction with the keypad of the telephone (col. 3, line 67 through col. 4, line 13). Ksiazek does not teach, describe or suggest the use of voice recognition in assigning the appropriate language. Specifically, by teaching language assignment is based on direct caller input, Ksiazek teaches away from such a configuration.

In summary, Appellants respectfully submit that Albal, alone or in combination with Ksiazek, does not show or suggest the embodiments of the present claimed invention recited in independent Claims 1, 8, 13 and 14, and that these claims are patentable over Albal in view of Ksiazek. Because Claims 3-5, 7, 21 and 22 depend from independent Claim 1, Claims 9-12
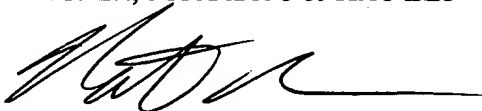
depend from independent Claim 8, and Claims 15-20 depend from independent Claim 14, these claims are also patentable over Albal in view of Ksiazek. Therefore, Applicants respectfully submit that Claims 3-5, 7, 9-12 and 15-22 overcome the rejection under 35 U.S.C. § 103(a), and are in condition for allowance as being dependent on allowable base claims.

Conclusion

Appellants believe that pending Claims 1, 3-5 and 7-22 are patentable over Albal in view of Ksiazek. Appellants respectfully request that the rejection of Claims 1, 3-5 and 7-22 be reversed.

Respectfully submitted,
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VIII. Appendix - Clean Copy of Claims on Appeal

1.   (Previously Presented) A method of using a telephone identifying information to present information over a telephone interface using a first computer, the method comprising:

selecting at least one voice character prosody setting of a language based on the telephone identifying information, wherein the voice character prosody setting comprises a speech pattern selected from a set of speech patterns, wherein a speech pattern identifies an intonation for presenting said language;

presenting information according to the at least one voice character prosody setting over the telephone interface using the first computer;

identifying a user speech pattern based on a speaking voice of a user;

selecting a second voice character prosody setting of the language based on the user speech pattern; and

subsequently, presenting said information according to the second voice character prosody setting over the telephone interface using the first computer.

2.   (Cancelled)

3.   (Previously Presented)   The method of claim 1, wherein the telephone identifying information is used to identify a locale, the locale associated with a corresponding speech pattern of the set of speech patterns, and the voice character prosody setting comprises the corresponding speech pattern of the set of speech patterns.

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4. (Previously Presented)   The method of claim 1, wherein the telephone identifying information is associated with a preferred speech pattern of the set of speech patterns, and wherein the voice character prosody setting comprises the corresponding speech pattern of the set of speech patterns.

5. (Previously Presented)   The method of claim 1, wherein the voice character prosody setting further comprises a particular voice actor.

6. (Cancelled)

7. (Previously Presented)   The method of claim 1, wherein if the telephone identifying information indicates at least one of a hospital and a nursing home, the volume selection is a high volume level and the speech pattern is a slower speech pattern.

8. (Previously Presented)   A computer system supporting user personalized profiles using a telephone identifying information, a telephone interface, and an Internet interface, the computer system comprising:

a database including personalization profiles for a plurality of users, each profile defining preferences for a corresponding user, each personalization profile for personalizing a corresponding user's interactions with the computer system, each personalization profile indicating a voice character prosody setting of a language, wherein the voice character prosody

setting comprises a speech pattern selected from a set of speech patterns, wherein a speech

pattern identifies an intonation for presenting information using a language;

a server supporting the Internet interface, the server allowing access to, and modification

of, the personalization profiles by the corresponding users;

a telephone interface subsystem supporting the telephone interface to receive the

telephone identifying information, the telephone interface including a first program code to match

the telephone identifying information with a corresponding personalization profile, a second

program code to provide personalized content over the telephone interface to a user in the

corresponding voice character prosody setting indicated in personalization profile, a third

program code for identifying a user speech pattern based on a speaking voice of said user, a

fourth program code for selecting a second voice character prosody setting of the language based

on the user speech pattern; a fifth program code for presenting said personalized content

according to the second voice character prosody setting over the telephone interface.

9.   (Previously Presented)   The computer system of Claim 8, wherein the voice

character prosody setting is at least one of user chosen voice character prosody setting and

system default voice character prosody setting associated with a locale corresponding to the

telephone identifying information.

10.   (Previously Presented)   The computer system of Claim 8, wherein the

telephone identifying information includes a caller number identification (CID), wherein the CID

is used by the first program code to perform matching of calls to a personalization profile of said database.

11.   (Original)   The computer system of Claim 8, wherein the server includes a web server for presenting customized interfaces to users to access and modify the personalization profiles.

12.   (Original)   The computer system of Claim 8, wherein the telephone interface subsystem includes a call manager, the call manager supporting multiple simultaneous telephone calls over the telephone interface.

13.   (Previously Presented)   A computer system having user personalized profiles using telephone identifying information, a telephone interface, and the Internet, the computer system comprising:

means for providing Internet access to a plurality of user profiles indicating a voice character prosody setting of a language, wherein the voice character prosody setting comprises a speech pattern selected from a set of speech patterns, wherein a speech pattern identifies an intonation for presenting information in said language;

means for modifying a user profile in response to receiving user specified profile modification instructions from the first means;

means for receiving at least one telephone identifying information from a telephone call;

means for matching the user profile with at least one telephone identifying information;

means for presenting customized audio content to the telephone call, the customized

audio content being at least partially determined by the user profile and presented according to

the indicated speech pattern of the voice character prosody setting;

means for identifying a user speech pattern based on a speaking voice of a user;

means for selecting a second voice character prosody setting of the language based on the

user speech pattern; and

means for presenting the customized audio content according to the second voice

character prosody setting over the telephone interface using the first computer subsequent to

selecting a second voice character prosody setting of the language based on the user speech

pattern.

14.   (Previously Presented) A method for presenting information over a telephone

interface, said method comprising:

receiving telephone identifying information;

selecting at least one voice character prosody setting of a language based on the telephone

identifying information, wherein the voice character prosody setting comprises a speech pattern

selected from a set of speech patterns, wherein a speech pattern identifies an intonation for

presenting said language;

presenting information in the language using a speech pattern as indicated by the voice

character prosody setting;

identifying a user speech pattern based on a speaking voice of a user;

selecting a second voice character prosody setting of the language based on the user

speech pattern; and

subsequently, presenting the information according to the second voice character prosody

setting over the telephone interface.

15. (Previously Presented) The method as recited in Claim 14, further comprising

identifying a locale based on the telephone identifying information, the locale associated with a

corresponding speech pattern of the set of speech patterns.

16. (Previously Presented) The method as recited in Claim 15, wherein said selecting

at least on voice character prosody setting comprises selecting the corresponding speech pattern

associated with the locale.

17. (Previously Presented) The method as recited in Claim 14, further comprising

identifying a user profile based on the telephone identifying information, the user profile

associated with a user-selected speech pattern of the set of speech patterns.

18. (Previously Presented) The method as recited in Claim 17, wherein said selecting

at least on voice character prosody setting comprises selecting the user-selected speech pattern

associated with the user profile.

19.   (Previously Presented) The method as recited in Claim 14, wherein the voice character prosody setting further comprises a volume selection for presenting said information at a particular volume level.

20.   (Previously Presented) The method as recited in Claim 14, wherein the voice character prosody setting further comprises a speed selection for presenting said information at a particular speed.

21.   (Previously Presented) The method of claim 1, wherein the voice character prosody setting further comprises a volume selection for presenting said information at a particular volume level.

22.   (Previously Presented) The method of claim 1, wherein the voice character prosody setting further comprises a speed selection for presenting said information at a particular speed.

23.   (Cancelled)

24.   (Cancelled)

25.   (Cancelled)

IX. Evidence Appendix

No evidence is herein appended.

X. Related Proceedings Appendix

No related proceedings.